

PATENT

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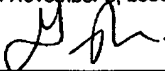
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I hereby certify that this correspondence is being facsimile transmitted to:

"Commissioner for Patents"
P.O. Box 1450
Alexandria, VA 22313-1450

UNUS #03-0347-UNI
CASE #F3330(C)

on November 8, 2006


Gerard J. McGowan, Jr.
Reg. No. 29,412
Attorney for Applicant(s)

November 8, 2006
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Malone et al.
SERIAL NO.: 10/780,182
FILED: February 17, 2004
FOR: Frozen Aerated Product

GROUP: 1761
EXAMINER: Arthur L. Corbin
ENGLEWOOD CLIFFS, NEW JERSEY 07632

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

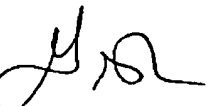
Applicant(s) hereby appeals to the Board of Appeals from the decision dated August 8, 2006 of the Primary Examiner final rejection of claims 1-17.

The item(s) check below are appropriate:

- ☒ A timely response to the final Rejection has been filed.
☐ An Extension of Time to respond to the Final Rejection was requested for one month.
☐ An Extension of Time to file a Notice of Appeal was granted for one month(s).
☒ Charge statutory fee of \$500.00 to Deposit Account No. 12-1155. Please charge any additional fees or credit overpayment to Deposit Account No. 12-1155. This request is being submitted in triplicate.

11/09/2006 TL0111 00000042 121155 10780182
01 FC:1401 500.00 DA

/gjm
201-894-2297


Gerard J. McGowan, Jr.
Attorney for Applicant
Registration No. 29,412